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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

U.S.A.,	No. 08-6111M
Plaintiff,	**ORDER**
v.	
CARLOS ALBERTO-DISCUA,	
Defendant.	

THE COURT, having reviewed the Motion to Extend Indictment Deadline, and good cause appearing,

IT IS ORDERED granting the motion and extending the time within which the government may seek to indict defendant by thirty (30) days.

THE COURT makes the following findings:

1) Counsel for defendant has only recently been appointed;

2) The defendant earnestly wishes to consider the plea offer;

3) The defendant wishes to investigate possible defenses prior to considering the plea offer;

4) The government's offer, if accepted by the defendant and then the court, would likely reduce defendant's exposure to a significant prison term;

5) If the defendant does not timely accept the plea offer prior to indictment, the government will withdraw the offer and any subsequent offer would likely be less advantageous to the defendant;
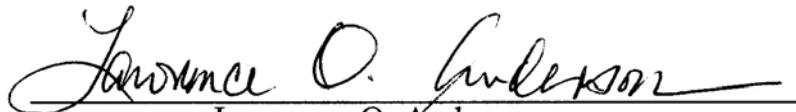
1   6) Failure to extend the time for indictment would thus operate to bar

2 defendant from reviewing the offer in a meaningful way prior to indictment; and

3   7) The ends of justice served by this extension outweigh the best interests of

4 the public and the defendant in a speedy indictment.

5   **IT IS HEREBY ORDERED** that defendant's Motion to Extend Time for

6 Indictment requesting an extension of thirty (30) days within which the government

7 may seek to indict defendant, is hereby granted.

8   **IT IS FURTHER ORDERED** that pursuant to the Speedy Trial Act, 18 U.S.C.

9 3161, the Government shall have an extension of thirty (30) days to file a timely

10 Indictment. Excludable time shall begin to run on the 31st day after arrest for a period

11 of thirty (30) days in which the Government may present the case to the grand jury.

12   DATED this 4th day of April, 2008.

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15 Lawrence O. Anderson
   United States Magistrate Judge

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